

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	
PATRICIA HARRIS LEE,	:
	:
Plaintiff,	:
	:
v.	:
	:
SONY BMG MUSIC ENTERTAINMENT, INC.	:
and BARBARA WARNOCK-MORGAN,	:
Individual,	:
	:
Defendants.	:
-----X	

07 CV 6733 (CM)

**NOTICE OF MOTION**

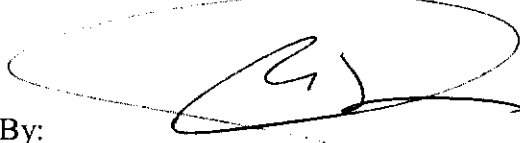
**PLEASE TAKE NOTICE** that upon this Notice of Motion, dated July 10, 2008, the Declaration of Clemon Williams, dated July 10, 2008, with exhibits, including the Second Amended Complaint, dated May 30, 2008, Declaration of Barbara Warnock-Morgan, dated July 10, 2008, the accompanying supporting memorandum of law, dated July 11, 2008, the Rule 56.1 Statement, dated July 11, 2008, and upon all prior proceedings heretofore had herein, Defendant SONY BMG MUSIC ENTERTAINMENT ("SONY BMG") and Barbara Warnock-Morgan, by their attorneys, Jonathan D. Davis, P.C., will move this Court, in accordance with Rule 6.1 of the Local Civil Rules of the Southern and Eastern Districts, before the Honorable Colleen McMahon, at the United States District Courthouse, Courtroom 21B, 500 Pearl Street, New York, New York 10007, for an order, pursuant to Rules 12(b)(6) and 56(c), Fed. R. Civ. P., dismissing the Second Amended Complaint for failure to state a claim upon which relief

can be granted or, alternatively, for summary judgment in favor of SONY BMG, together with such other and further relief as the Court deems just and proper.

Answering declarations and memorandum of law, if any, shall be served in accordance with Local Rule 6.1(b) unless otherwise agreed to by the parties or ordered by the Court.

Dated: July 11, 2008  
New York, New York

JONATHAN D. DAVIS, P.C.



By:

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